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WITNESS NAME: Beth Thompson - Cabell County 30(b)(6)
 DEPOSITION DATE: July 23, 2020 and July 28, 2020

DEFENDANT AFFIRMATIVE DEPOSITION DESIGNATIONS				PLAINTIFF COUNTER DESIGNATIONS *Pink = Completeness Designation				DEFENDANT REPLY DESIGNATIONS *Pink = Completeness Designation			
Page/Line Begin	Page/Line End	Objections	Replies to Objections	Page/Line Begin	Page/Line End	Objections	Replies to Objections	Page/Line Begin	Page/Line End	Objections	Replies to Objections
4	4	4	11	n/a				22	13	22	24
5	13	5	15	n/a				24	18	25	3
5	24	6	7	n/a				48	22	49	5
6	24	7	10	n/a				73	16	73	22
20	17	21	4	n/a				98	4	98	18
25	23	26	20	n/a				130	6	130	9
27	21	28	3	n/a				139	21	140	2
29	23	30	2	Relevance				183	24	184	3
30	12	30	15	n/a				336	21	336	24
31	22	32	19	n/a				393	23	394	9
33	3	33	18	n/a							
34	12	34	22	n/a							
35	5	35	23	n/a							
40	3	41	5	Relevance							
42	3	42	13	Relevance							
43	8	44	24	Relevance							
45	3	46	15	Relevance; Argumentative							

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49	17	49	21	Relevance	This is clearly relevant testimony. Cabell County (along with Huntington) are seeking more than \$2 billion to "abate" the opioid epidemic, claiming that such money is "necessary." The fact that the Commission has the power to to take certain actions to address the epidemic yet has chosen never to exercise that power undermines the County's claims that it now requires more than \$2 billion.	58	4	59	20	n/a	n/a			
51	14	52	2	Vague	The questions are not vague and the witness did not express any difficulty in answering the questions or express any confusion.	60	17	60	24	n/a	n/a			
60	3	60	16	Calls for Expert Opinion; Calls for a Legal Conclusion; Speculation	The 30(b)6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of.	63	13	63	16	n/a	n/a			
65	1	66	6	Calls for Expert Opinion; Calls for a Legal Conclusion; Speculation	The 30(b)6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of.	66	19	67	13	n/a	n/a			
83	6	83	14	Speculation; Calls for a Legal Conclusion; Calls for Expert Opinion	The 30(b)6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of.	68	20	68	24	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Plaintiffs will withdraw designation.			
85	22	86	6	n/a		69	22	70	12	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding marketing of opioids in Cabell County. See Dep. at 65:1-6. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.			
87	13	87	19	n/a		73	9	73	15	n/a				
108	7	108	21	n/a		75	20	76	3	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of and/or what it has done regarding the opioid problem. See e.g., Dep. at 20:17-21:4; 35:5-13; 85:22-86:6; 87:13-19; 133:13-134:17. Also, this completeness designation further explains the limits of the County Commission's responsibility and/or authority. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.			
109	5	109	11	n/a		76	5	76	11	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.			
109	22	110	8	Relevance	This is relevant testimony. Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of, and -- in light of Plaintiffs' request for more than \$2 billion to "abate" the crisis--it is also appropriate to ask what steps the Commission has taken to address these alleged causes.	82	18	82	22	n/a	n/a			
113	11	113	20	Calls for Expert Opinion; Calls for a Legal Conclusion; Speculation	The 30(b)6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of.	84	22	85	21	n/a	n/a			
115	8	115	13	Calls for Expert Opinion; Calls for a Legal Conclusion; Speculation	The 30(b)6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of (e.g., prescribing physicians who decide what medications may be appropriate for a particular patient).	86	7	86	21	n/a	n/a			
115	18	115	24	Speculation	Counsel did not object to this question at the deposition, so the objection is waived. Moreover, it is not speculative to ask the designee for the Cabell County Commission about the Commission's knowledge. If the witness didn't know the answer, she was free to testify as such.	92	1	92	7	n/a	n/a			

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133	13	134	17	Calls for Expert Opinion	This does not call for expert testimony. Cabell County (along with Huntington) are seeking more than \$2 billion to "abate" the opioid epidemic, claiming that such money is "necessary." The designee of the Commission can testify about the functions of Cabell County and what steps Cabell County has taken. The witness was free to testify that she did not know the answer, if that had been the case.	96	18	97	4	Improper completeness designation - it isn't responding directly to anything Defendants designated. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission has done regarding the opioid problem and/or what its responsibilities or authority is regarding same. See e.g., Dep. at 20:17-21:4; 35:5-13; 85:22-86:6; 87:13-19; 133:13-134:17. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See United States v. Gravelly, 840 F.2d 1156, 1163 (4th Cir. 1988) ("The cross-designated portions, while perhaps not admissible standing alone, are admissible as a remainder of a recorded statement.").				
135	20	136	17	Relevance; Speculation; Vague	It is not remotely speculative to ask the Cabell County Commission's designee whether the Commission has the ability to apply for grants, and whether it has done so in the past. Cabell County (along with Huntington) are seeking more than \$2 billion to "abate" the opioid epidemic, claiming that such money is "necessary." The designee of the Commission can testify about the functions of Cabell County and what steps Cabell County has taken. The witness was free to testify that she did not know the answer, if that had been the case. This is clearly relevant testimony and goes to undermine Cabell's claim that it requires more than \$2 billion to "abate" this crisis.	97	9	97	13	Improper completeness designation - it isn't responding directly to anything Defendants designated. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
137	8	137	10	Relevance; Vague	Cabell County (along with Huntington) are seeking more than \$2 billion to "abate" the opioid epidemic, claiming that such money is "necessary." The designee of the Commission can testify about the functions of Cabell County and what steps Cabell County has taken. The witness was free to testify that she did not know the answer, if that had been the case. This is clearly relevant testimony and goes to undermine Cabell's claim that it requires more than \$2 billion to "abate" this crisis.	99	11	99	14	n/a	n/a				
143	14	144	24	n/a		100	3	100	9	n/a	n/a				
145	15	145	18	n/a		107	23	108	4	n/a	n/a				
152	20	153	5	Speculation; Lack of Personal Knowledge; Lack of Foundation; Calls for a Legal Conclusion	The 30b6 witness is itself the representative of the Cabell County Commission. It is not "speculative" to ask the Cabell County Commission whether the Commission was aware of any causes of the opioid epidemic. It is also not seeking a legal or expert opinion; prior to retaining any expert witnesses in this case, Cabell County publicly filed a Complaint against Distributors alleging that Distributors were a cause of the opioid epidemic. Defendants are entitled to probe the Commission's designee to ask about other alleged causes that the Commission was aware of (e.g., DEA). If the witness (the Commission) didn't know the answer, the witness was free to say so.	108	22	109	4	n/a	n/a				
166	13	166	20	n/a		112	15	112	20	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of regarding improper opioid prescriptions in Cabell County. See e.g., Dep. at 108:7-21; 113:11-20. Also, this completeness designation further explains the limits of the County Commission's responsibility and/or authority. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				
168	8	168	18	n/a		113	5	113	10	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
169	10	170	10	n/a		115	14	115	17	n/a	n/a				
170	19	171	11	n/a		116	1	116	17	n/a	n/a				
172	15	172	23	Argumentative; Calls for a Legal Conclusion	This questioning is not argumentative, and even if it was, counsel did not object to the questioning at the deposition so the objection is waived. It does not call for a legal conclusion to ask the Commission whether it was aware of an opioid problem in the community as of 2006 - that is a question of fact.	116	21	117	10	n/a	n/a				
176	15	177	11	(177:8-11) Compound; Vague; Speculation	The question identified at 177:8-11 is not compound, and the witness did not indicate any difficulty in understanding or answering the question. Additionally, counsel at the deposition did not object, waiving this possible objection now. And it is not speculative to ask the designee of the Commission about the Commission's knowledge - that is the purpose of 30b6 testimony.	124	3	126	11	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of regarding opioid-related harms in Cabell County and/or causes of same. See e.g., Dep. at 60:3-16; 65:1-66:6; 83:6-14; 153:2-5. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				
177	19	178	2	Speculation; Vague	The witness did not indicate any difficulty in understanding or answering the question. Additionally, counsel at the deposition did not object, waiving this possible objection now. And it is not speculative to ask the designee of the Commission about the Commission's conduct or knowledge - that is the purpose of 30b6 testimony.	126	15	127	15	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
178	4	178	11	(178:4) Speculation; Vague	The witness did not indicate any difficulty in understanding or answering the question. Additionally, counsel at the deposition did not object, waiving this possible objection now. And it is not speculative to ask the designee of the Commission about the Commission's conduct or knowledge - that is the purpose of 30b6 testimony.	127	21	129	9	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of regarding opioid-related costs/harms in Cabell County. See e.g., Dep. at 26:17-20; 27:21-28:3; 33:3-18; 40:3-41:5; 83:6-14. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				

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184	20	188	10	n/a		132	16	132	22	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.			
189	3	194	13	n/a		133	8	133	12	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.			
264	17	265	6	Speculation; Calls for a Legal Conclusion; Relevance	It is not speculative to ask the Commission's designee about grants that divisions of county government have applied for - if the witness didn't know the answer, she was free to say so. It also does not call for a legal conclusion to ask the Commission about the purpose of various grants that county government has applied to. This testimony is relevant because the County is now claiming that it requires more than \$2 billion to "abate" the opioid crisis - whether the County exercised reasonable steps to apply for external funding (like grants) is relevant to whether this newfound claim for \$2billion is actually necessary. Additionally, this grant application discusses other possible causes of the opioid epidemic, which is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	134	18	134	24	n/a	n/a			
266	15	267	10	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	135	3	135	19	n/a	n/a			
268	21	269	20	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	137	4	137	7	n/a	n/a			
270	22	272	20	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	139	4	139	20	n/a	n/a			
274	23	278	11	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	143	4	143	13	n/a	n/a			
279	11	280	3	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	145	1	145	14	n/a	n/a			
281	24	283	9	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	145	19	146	2	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of regarding opioid-related harms in Cabell County and/or causes of same. See e.g., Dep. at 20:17-21:4; 60:3-16; 65:1-66:6; 83:6-14; 108:7-21; 153:2-5. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1443.			
284	1	284	20	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	146	9	147	18	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.			
284	22	285	11	Relevance	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	149	9	151	1	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.			
290	14	291	3	Speculation; Calls for Expert Opinion	This grant application describes other possible causes of the opioid epidemic - whether the Commission agrees that those are possible causes is highly relevant. Additionally, counsel did not object at the deposition, waiving this objection.	151	16	152	15	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission has done to abate the opioid problems, grants sought regarding the opioid problems, and/or the Commission's authority regarding same. See e.g., Dep. at 133:13-134:17; 135:20-136:17. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.			
302	20	305	16	Speculation; Lack of Foundation; Assumes Facts	Counsel did not object to any of these questions at the deposition, nor does counsel today point to any questions that assume facts not in evidence, lack foundation, or are speculative. It is not speculative to ask the Commission's designee about the Commission's knowledge of factors surrounding the opioid epidemic. The witness was free to testify that the Commission did not know, if that was the answer.	168	19	169	9	n/a	n/a			
307	13	307	19	Relevance	This is highly relevant testimony. Plaintiffs are seeking more than \$2 billion to "abate" the epidemic, alleging that such money is "necessary." The fact that the County has freed up money and has a rainy day fund, yet has chosen not to use it on opioid-related programming undermines Plaintiffs' claims that the \$2 billion in its "abatement" plan is truly necessary.	171	12	171	18	n/a	n/a			
309	2	310	8	Relevance	This is highly relevant testimony. Plaintiffs are seeking more than \$2 billion to "abate" the epidemic, alleging that such money is "necessary." The fact that the County has freed up money and has a rainy day fund, yet has chosen not to use it on opioid-related programming undermines Plaintiffs' claims that the \$2 billion in its "abatement" plan is truly necessary.	171	24	172	14	n/a	n/a			

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312	8	312	16	n/a	173	4	174	12	n/a					
313	9	313	24	Speculation; Relevance; Calls for Legal Conclusion; Calls for Expert Opinion	174	16	175	12	n/a					
				This is highly relevant testimony. Prior to engaging any expert witnesses in this case, Plaintiff Cabell County filed a Complaint alleging various causes of the opioid epidemic. It is highly relevant to ask the Commission's designee about other possible causes of the opioid epidemic. And it is not speculative for the Commission's designee to testify about the Commission's knowledge or belief - that is the purpose of 30(b) testimony.										
314	4	315	4	Speculation; Calls for Legal Conclusion; Calls for Expert Opinion	175	14	175	22	n/a					
				This is highly relevant testimony. Prior to engaging any expert witnesses in this case, Plaintiff Cabell County filed a Complaint alleging various causes of the opioid epidemic. It is highly relevant to ask the Commission's designee about other possible causes of the opioid epidemic. And it is not speculative for the Commission's designee to testify about the Commission's knowledge or belief - that is the purpose of 30(b) testimony.										
315	23	317	23	Speculation; Calls for Legal Conclusion; Calls for Expert Opinion	178	12	178	18	n/a					
				This is highly relevant testimony. Prior to engaging any expert witnesses in this case, Plaintiff Cabell County filed a Complaint alleging various causes of the opioid epidemic. It is highly relevant to ask the Commission's designee about other possible causes of the opioid epidemic. And it is not speculative for the Commission's designee to testify about the Commission's knowledge or belief - that is the purpose of 30(b) testimony.										
319	18	319	21	Speculation; Lack of Foundation; Lack of Knowledge	179	16	180	18	n/a					
				It is not speculative to ask the Commission's designee about the Commission's knowledge - that is the purpose of 30(b) testimony, and the witness was free to respond that she did not know the answer.										
337	12	337	20	n/a	183	5	183	23	n/a					
346	8	348	3	Relevance	184	4	184	19	n/a					
				The fact that the Commission has never considered limiting the dispensing of opioids undermines Plaintiffs' claims that the distribution of opioids (by Distributors) is unreasonable. Additionally, the fact that the County's health insurance program covers prescription opioids and the County never discussed the possibility of limiting payment for opioid prescriptions demonstrates that the County believes opioids can be appropriate medical treatments, undermining Plaintiffs' claim that Distributors' distributions of prescription opioids was unreasonable.										
366	8	368	22	Vague; Speculation; Lack of Foundation; Calls for Expert Opinion	200	13	201	19	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission's position is regarding the opioid crisis, abatement of the opioid crisis, and/or the operative complaint filed by the Commission. See e.g., Dep. at 133:13-134:17; 136:7-17; 184:20-188:10; 189:3-194:13; 312:8-16; 405:2-21. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				
				The witness did not indicate that any of these questions were vague, nor did counsel at the deposition object. It is not speculative to ask the Commission's designee about its knowledge of various County programs - that is the purpose of 30(b) testimony. If the witness did not know, she was free to say so. It does not call for an expert opinion to ask the Commission's designee about how various county programs operate and whether the Commission believes they are effective.										
371	12	372	12	Relevance; Vague; Speculation; Lack of Foundation	202	9	203	24	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
				The witness did not indicate that any of these questions were vague, nor did counsel at the deposition object. It is not speculative to ask the Commission's designee about its knowledge of various County programs - that is the purpose of 30(b) testimony. If the witness did not know, she was free to say so. It does not call for an expert opinion to ask the Commission's designee about how various county programs operate and whether the Commission believes they are effective. This is highly relevant testimony: the Plaintiffs claim that they require more than \$2 billion to "abate" the opioid epidemic. But if the Cabell/Huntington community already has resources in place that are effectively addressing the opioid epidemic, Plaintiffs have not met their burden to demonstrate that their proposed "abatement" plan is necessary.										
401	18	402	6	n/a	204	14	204	19	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
404	1	404	18	Relevance	267	11	268	6	n/a					
				This is highly relevant testimony. Plaintiffs are seeking more than \$2 billion to "abate" the epidemic, alleging that such money is "necessary." The fact that the County has unused carryover funds of several million dollars--that haven't been used to address the opioid epidemic--weakens Plaintiffs' claims that money for its "abatement" plan is necessary.										
405	2	405	21	Relevance	269	21	270	11	n/a					
				This is highly relevant testimony. Plaintiffs are seeking more than \$2 billion to "abate" the epidemic, alleging that such money is "necessary." The fact that the County has unused carryover funds of several million dollars--that haven't been used to address the opioid epidemic--weakens Plaintiffs' claims that money for its "abatement" plan is necessary.										
					278	12	278	14	n/a					
					278	16	278	17	n/a					
					283	10	283	24	n/a					
					289	12	289	21	n/a					
					290	2	290	13	n/a					
					311	4	311	21	n/a					
					322	3	322	8	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	This designation completes, explains and/or provides context to the testimony designated by Defendants regarding what the County Commission is aware of regarding diversion of opioids in Cabell County. See e.g., Dep. at 108:7-21; 113:11-20; 317:9-23; 319:18-21. Pursuant to FRE 106, "[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				
					336	10	336	20	n/a					
					350	17	351	18	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	As an initial matter, this testimony can be considered as completeness as it addresses the County Commission's authority/responsibility, and/or employees or benefit programs, which are topics put at issue by numerous designations made by defendants regarding what the County Commission did/did not do regarding the opioid crisis. See e.g., Dep. at 20:17-21:4; 35:5-13; 85:22-86:6; 87:13-19; 133:13-134:17; 346:8-348:3; 366:8-368:22. Separately, the Court can properly take judicial notice of this information pursuant to FRE 201.				

WITNESS NAME: Beth Thompson - Cabell County 30(b)(6)
 DEPOSITION DATE: July 23, 2020 and July 28, 2020

DEFENDANT AFFIRMATIVE DEPOSITION DESIGNATIONS					PLAINTIFF COUNTER DESIGNATIONS *Pink = Completeness Designation					DEFENDANT REPLY DESIGNATIONS *Pink = Completeness Designation				
					352	16	353	16	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				
					394	10	395	3	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them). Also includes statements from documents - hearsay within hearsay.	This designation completes and/or explains the testimony designated by Defendants regarding the County Commission's knowledge and/or involvement regarding the "PEP Program". See Dep. at 371:12-17. Pursuant to FRE 106, "if a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part . . . that in fairness ought to be considered at the same time." Additionally, the testimony is not hearsay, and even if somehow found to be so, it would still be admissible for purposes of completeness. See Gravelly, 840 F.2d at 1163.				
					395	9	396	4	Improper completeness designation - it isn't responding directly to anything Defendants designated, and FRCP 32(a)(3) only permits an adverse party to use a 30(b)(6) deposition for any purpose. As a result, this is hearsay - the County cannot introduce into evidence out of court statements by the Commission (these statements are, of course, not "statements of a party opponent" under 801(d)(2) when the County itself attempts to introduce them).	Same response as above.				